IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)
WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 9852 of 2005

Between:

M/s.Devi Iron, Scrap and Waste paper Merchants,

2-1-60, pragathinagar, Peddapalli Karimnagar Dist.
rep.by its prop. Bandi gange Goud, S/o.Venkataiah,
R/o.2-1-60, Pragathinagar, Peddapalli, Karimnagar Dist.

..... PETITIONER

AND

1 The Govt. of A.P.,

rep.by its Secretary, R&B Department,

Secretariat, Hyderabad.
2 The Superintending Engineer, R&B Circle, Karimangar.
3 The Executive Engineer, R&B Division,

Peddapalli Karimangar District.
4 The Dy.Executive Engineer,

R&B Sub-Division, Peddapalli, Karimangar Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order direction more in the nature of writ of Mandamus directing the respondents herein to handover 25.505 M.T,. of surplus steel to the petitioner firm out of 109.23 M.T. of surplus steel which was agreed to be disposed in favour of the petitioner firm whose offer was approved and accepted pursuant to a sale tender notification nO.1/2004-05/376 dt.16-4-04 or alternatively pay the proportionate amount which was paid in advance for purchase of the surplus steel by the petitioner firm along with interest @ 18% PA till the payment is made by the respondents by duly declaring the inaction on the part of the 4th respondent in handing over the above said quantity of surplus steel in spite of a direction is issued by the 3rd respondent and also issuing a legal notice in that regard is nothing but arbitrary,

illegal and unjustified and pass such other order or orders as this Hon'ble court may deem fit and proper.

Counsel for the Petitioners :Mr.V.RAVI KIRAN RAO

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court at the stage of admission made the following :

ORDER:

Seeking to direct the respondents to handover 25.505 M.T,. of surplus steel to the petitioner firm out of 109.23 M.T. of surplus steel which was agreed to be disposed in favour of the petitioner firm whose offer was approved and accepted pursuant to a sale tender notification No.1/2004-05/376 dt.16-4-04 or alternatively pay the proportionate amount along with interest @ 18% PA till the payment is made by the respondents the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for the Transport.

In regard to the relief sought for by the petitioner, the respondents have to take appropriate action in pursuance of the sale notification dated 19-03-2005.

Therefore, without entering into the merits of the case, I feel it appropriate to dispose of the writ petition with a direction to the respondents to take appropriate decision in pursuance of the sale notification dated 19-03-2005 within a period of two weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

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K.C.BHANU, J.

Dated: 27..04..2005.

Note: Copy within three days.

(B/O)

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To

1 The Govt. of A.P.,

rep.by its Secretary, R&B Department,

Secretariat, Hyderabad.

2 The Superintending Engineer, R&B Circle, Karimangar.

3 The Executive Engineer, R&B Division,

Peddapalli Karimangar District.

4 The Dy.Executive Engineer,

R&B Sub-Division, Peddapalli, Karimangar Dist.

5 Two CD copies

6 Two CCs to Government Pleader for Roads and Buildings,

High Court of A.P., Hyderabad(OUT)